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statement of the grounds upon which the revocation is based.

(2) The importer may file an answer within 20 days after receipt of the notice. Answers shall admit or deny specifically, and in detail, each allegation in the notice. Allegations in the notice not denied by answer shall be deemed admitted. Matters alleged as affirmative defenses shall be separately stated and numbered. Failure of the importer to file an answer within 20 days after receipt of the notice may be deemed an admission of all allegations of fact recited in the notice.

(3) The importer shall be entitled to a hearing with respect to the revocation upon filing a written request, either in the answer or in a separate document, with the Director within 20 days after the effective date of revocation. Failure to request a hearing shall be deemed a waiver of hearing and as consent to the submission of the case to the Director for decision based on the written record. The failure both to file an answer and to request a hearing shall be deemed to constitute consent to the making of a decision on the basis of available information.

(4) As soon as practicable after the completion of any hearing conducted pursuant to the provisions of this section, the Director shall render a final decision. A copy of such decision shall be served on the importer.

(5) An importer's registration which has been revoked may be reinstated by the Director upon inspection, examination of records, conference with the importer, and receipt of information and assurances of compliance with the requirements of this section.

(i) *Other permits.* In addition to the requirements under this section, permits to import certain species of nonhuman primates may also be required under other Federal regulations (50 CFR parts 17 and 23) protecting such species.

(Approved by the Office of Management and Budget under control number 0920-0134)

§ 71.54 Etiological agents, hosts, and vectors.

(a) A person may not import into the United States, nor distribute after importation, any etiologic agent or any arthropod or other animal host or vec-

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tor of human disease, or any exotic living arthropod or other animal capable of being a host or vector of human disease unless accompanied by a permit issued by the Director.

(b) Any import coming within the provisions of this section will not be released from custody prior to receipt by the District Director of the U.S. Customs Service of a permit issued by the Director.

§ 71.55 Dead bodies.

The remains of a person who died of a communicable disease listed in § 71.32(b) may not be brought into a U.S. port unless the body is (a) properly embalmed and placed in a hermetically sealed casket, (b) cremated, or (c) accompanied by a permit issued by the Director.

PART 72—INTERSTATE SHIPMENT OF ETIOLOGIC AGENTS¹

Sec.

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APPENDIX A TO PART 72—SELECT AGENTS

AUTHORITY: 42 U.S.C. 264, 271; 31 U.S.C. 9701; 18 U.S.C. 3559, 3571; 42 U.S.C. 262 note.

SOURCE: 45 FR 48627, July 21, 1980, unless otherwise noted.

§ 72.1 Definitions.

As used in this part:

Biological product means a biological product prepared and manufactured in accordance with the provisions of 9 CFR parts 102-104 and 21 CFR parts 312 and 600-680 and which, in accordance

¹The requirements of this part are in addition to and not in lieu of any other packaging or other requirements for the transportation of etiologic agents in interstate traffic prescribed by the Department of Transportation and other agencies of the Federal Government.

with such provisions, may be shipped in interstate traffic.

Diagnostic specimen means any human or animal material including, but not limited to, excreta, secreta, blood and its components, tissue, and tissue fluids being shipped for purposes of diagnosis.

Etiologic agent means a viable micro-organism or its toxin which causes, or may cause, human disease.

Interstate traffic means the movement of any conveyance or the transportation of persons or property, including any portion of such movement or transportation which is entirely within a State or possession, (a) from a point of origin in any State or possession to a point of destination in any other State or possession, or (b) between a point of origin and a point of destination in the same State or possession but through any other State, possession, or contiguous foreign country.

§ 72.2 Transportation of diagnostic specimens, biological products, and other materials; minimum packaging requirements.

No person may knowingly transport or cause to be transported in interstate traffic, directly or indirectly, any material including, but not limited to, diagnostic specimens and biological products which such person reasonably believes may contain an etiologic agent unless such material is packaged to withstand leakage of contents, shocks, pressure changes, and other conditions incident to ordinary handling in transportation.

§ 72.3 Transportation of materials containing certain etiologic agents; minimum packaging requirements.

Notwithstanding the provisions of § 72.2, no person may knowingly transport or cause to be transported in interstate traffic, directly or indirectly, any material (other than biological products) known to contain, or reasonably believed by such person to contain, one or more of the following etiologic agents unless such material is packaged, labeled, and shipped in accordance with the requirements specified in paragraphs (a) through (f) of this section:

BACTERIAL AGENTS

Acinetobacter calcoaceticus.
Actinobacillus— all species.
Actinomycetaceae— all members.
Aeromonas hydrophila.
Arachnia propionica.
Arizona hinshawii— all serotypes.
Bacillus anthracis.
Bacteroides spp.
Bartonella— all species.
Bordetella— all species.
Borrelia recurrentis, B. vincenti.
Brucella— all species.
Campylobacter (Vibrio) foetus, C. (Vibrio) jejuni.
Chlamydia psittaci, C. trachomatis.
Clostridium botulinum, Cl. chauvoei, Cl. haemolyticum, Cl. histolyticum, Cl. novyi, Cl. septicum, Cl. tetani.
Corynebacterium diphtheriae, C. equi, C. haemolyticum, C. pseudotuberculosis, C. pyogenes, C. renale.
Edwardsiella tarda.
Erysipelothrix insidiosus.
Escherichia coli, all enteropathogenic serotypes.
Francisella (Pasteurella) Tularensis.
Haemophilus ducreyi, H. influenzae.
Klebsiella— all species and all serotypes.
Legionella— all species and all Legionella-like organisms.
Leptospira interrogans— all serovars.
Listeria— all species.
Mimae polymorpha.
Moraxella— all species.
Mycobacterium— all species.
Mycoplasma— all species.
Neisseria gonorrhoeae, N. meningitidis.
Nocardia asteroides.
Pasteurella— all species.
Plesiomonas shigelloides.
Proteus— all species.
Pseudomonas mallei.
Pseudomonas pseudomallei.
Salmonella— all species and all serotypes.
Shigella— all species and all serotypes.
Sphaerophorus necrophorus.
Staphylococcus aureus.
Streptobacillus moniliformis.
Streptococcus pneumoniae.
Streptococcus pyogenes.
Treponema carereum, T. pallidum, and T. pertenue.
Vibrio cholerae, V. parahemolyticus.
Yersinia (Pasteurella) pestis, Y. enterocolitica.

FUNGAL AGENTS

Blastomyces dermatitidis.
Coccidioides immitis.
Cryptococcus neoformans.
Histoplasma capsulatum.
Paracoccidioides brasiliensis.

VIRAL AND RICKETTSIAL AGENTS

Adenoviruses—human—all types.